

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22600 of 2004

Between:

Vanki Padmavatamma, W/o. Vanki Radaiah,
R/o. D.No.25-1-236, Postal Colony, Nellore, Nellore District.

..... PETITIONER

AND

- 1 The District Collector, Nellore, Nellore District.
- 2 The Mandal Revenue Officer, Nellore, Nellore District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or a direction particularly one in the nature of writ of Mandamus; declaring the action of the Respondents in not considering case of the petitioner whether the subject matter of land is an private land or a government poramboke land and not passing any orders on the representation of the petitioner dt. 20.09.2004, is arbitrary and un-reasonable and consequently, direct the respondents to consider the case of the petitioner by disposing of her representation dt. 20.09.2004 and pass such other and further orders.

Counsel for the Petitioner:MR.G.TUHIN KUMAR

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

ORDER:

The grievance of the petitioner is that she, being a landless poor lady, is in possession of the Government Poramboke land in Sy.No.2021/1, Postal Colony, A.K. Nagar, Nellore, to an extent of Ac.0.07 cents, for the past 22 years. It is further stated that she had made a representation to the respondents on 20.9.2004 requesting them to consider her case for assignment of the said land in her favour. Hence, the present writ petition.

It is contended by the learned counsel for the petitioner that the said land, which is occupied by the petitioner, belongs to the Government and that some third parties are trying to encroach the same by evicting the petitioner. It is also contended that the respondents are not taking any steps to stop the said encroachment.

Heard the learned counsel on either side.

Even if any third party is trying to interfere with the possession of the

petitioner, the appropriate remedy would be to file proper civil suit and obtaining necessary injunction. Simply because the MRO is impleaded in the writ petition, the petitioner cannot seek a direction to the MRO, to dispose of her representation.

In the circumstances, I see no merits in the writ petition and the same is dismissed at the stage of admission itself, granting liberty to the petitioner to approach the civil court, for redressal of her grievance, if any. No order as to costs.

8.12.2004

CVM

To

- 1 The District Collector, Nellore, Nellore District.
- 2 The Mandal Revenue Officer, Nellore, Nellore District.
3. 2 CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT).
4. 2 CD copies.